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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

ALVIN LIONEL LARSUEL, JR.

Defendant and Appellant.

B292739

(Los Angeles County
Super. Ct. No. GA102125)

APPEAL from an order of the Superior Court of Los Angeles County, Suzette Clover, Judge. Affirmed.

David Zarmi, under appointment by the Court of Appeal, for Defendant and Appellant.

No Appearance for Plaintiff and Respondent.

Alvin Lionel Larsuel, Jr., pled no contest to one count of possession of methamphetamine for sale (Health & Saf. Code, § 11378)¹ and was sentenced to three years in prison on December 13, 2017. The trial court suspended execution of sentence and imposed three years' formal probation. On June 5, 2018, Larsuel admitted he had violated probation, and the court revoked probation. On August 15, 2018, the court revoked the suspension of execution of sentence. Larsuel appealed from the order revoking the suspension of execution.

Larsuel's appellate counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) summarizing the facts in this case and the procedural history, but raising no issues, and asked this court to independently review the record. Larsuel filed a letter identifying potential issues. Finding no arguable issue, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On October 13, 2017, a Los Angeles police officer saw Larsuel sitting in a parking lot with another individual throwing dice against a cardboard box. The officer saw \$87.57 on the ground. A search of Larsuel revealed seven bags containing methamphetamine, a blue container containing methamphetamine, two pipes, and two cell phones.

¹ All undesignated section references are to the Penal Code.

On November 13, 2017, the district attorney filed an information charging Larsuel with one count of possession of methamphetamine for sale. The information alleged that Larsuel had two prior drug convictions. Larsuel pled not guilty and denied the special allegations.

On December 13, 2017, pursuant to a plea agreement, Larsuel pled no contest to count 1, and the trial court dismissed the special allegations. The trial court imposed a three-year sentence, suspended execution of sentence, and ordered three years of formal probation. The court imposed assessments and fines, and Larsuel waived any claim to custody credit.

Larsuel was arrested for possession of a controlled substance (Health & Saf. Code, § 11377) on January 18, 2018, and again on March 18, 2018. On April 13, 2018, the trial court preliminarily revoked his probation. On June 5, 2018, Larsuel admitted a probation violation. The court found he had violated probation by failing to obey all laws and therefore revoked his probation.

On August 15, 2018, the trial court ordered the sentence “previously suspended . . . imposed this date.” The effect of the order was to terminate probation and revoke the suspension of execution of sentence. (See § 1203.2, subd. (c); *People v. Howard* (1997) 16 Cal.4th 1081, 1087-1088; *People v. Medina* (2001) 89 Cal.App.4th 318, 322-323.)

On September 14, 2018, Larsuel filed a notice of appeal from the order of August 15, 2018, and requested a certificate of probable cause (§ 1237.5(b)). The trial court denied the request. Larsuel's appellate counsel filed a *Wende* brief raising no issues and asked this court to independently review the record. Larsuel filed a letter arguing he was falsely accused of possession of methamphetamine for sale and possession of stolen property, and generally arguing the court denied him substantial rights and lacked jurisdiction.

REVIEW ON APPEAL

We have examined the entire record and are satisfied that Larsuel's appellate counsel has fully complied with counsel's responsibilities, and that no arguable issue exists. By virtue of his counsel's compliance with the *Wende* procedure and our review of the record, Larsuel has received adequate and effective appellate review of the order. (*Smith v. Robbins* (2000) 528 U.S. 259, 278-279 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *Wende, supra*, 25 Cal.3d at pp. 441-442.)

DISPOSITION

The order is affirmed.

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CURREY, J.

We concur:

WILLHITE, Acting P.J.

COLLINS, J.